

Prepared by and Return to:	Grantors Address:	Grantees Address:
Austin Law Firm, P.A. 6928 Cobblestone Drive, Suite 100 Southaven, MS 38672 662-890-7575 MS Bar No. 99235	6928 Cobblestone Dr., Ste. 100 Southaven, MS 38672 Work: 662-890-7575 Home: N/A	1068 Highland Colony Parkway Ridgeland, MS 39157 Work: (601) 898-4840 Home: N/A
File No.:100008		

**INDEXING INSTRUCTIONS:** Lot 128, Section C, Chateau Pointe Subdivision, situated in Section 18, Township 2 South, Range 7 West, DeSoto County, Mississippi, as recorded in Plat Book 93, Pages 47-48 in the office of the Chancery Clerk of DeSoto County, Mississippi.

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, on September 29, 2005, H & C, LLC, a Tennessee Limited Liability Company, executed a deed of trust to Chuck Drennon, Trustee for the benefit of BankPlus, which deed of trust is recorded in Deed of Trust Book 2325 at Page 450, and re-recorded in Deed of Trust Book 2391 at Page 83, and renewed and extended in Deed of Trust dated June 30, 2009 executed by H & C, LLC, a Tennessee Limited Liability Company to Thomas Hudson, Trustee for the benefit of BankPlus, recorded in Book 3067 at Page 545, all in the office the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid, BankPlus, the holder of said deed of trust and the note secured thereby, substituted Kimberly S. Jones, as Trustee therein, as authorized by the terms thereof, by instrument dated January 21, 2010 and recorded in the office of the aforesaid Chancery Clerk in

Book 3130 at Page 578; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, BankPlus, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substitute Trustee in accordance with terms of said Deed of Trust and the laws of the State of Mississippi did advertise said sale in the DeSoto Times-Tribune, a newspaper published in the County of DeSoto, State of Mississippi, on the following dates, to-wit: March 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, and 23<sup>rd</sup>, 2010 which is more fully shown by the original Proof of Publication which is attached hereto as Exhibit "A" and made a part hereof as though fully copied herein in words and figures; and by posting on February 25<sup>th</sup>, 2010, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of DeSoto County, Mississippi; and

WHEREAS, on the **24th day of March, 2010**, at the East front door of the DeSoto County Courthouse, at Hernando, Mississippi, between the hours of 11:00 o'clock a.m. and 4:00 o'clock p.m., the undersigned Substitute Trustee did offer for sale at public outcry and did sell to the highest bidder for cash the following described land and property situated in DeSoto County, Mississippi, to-wit:

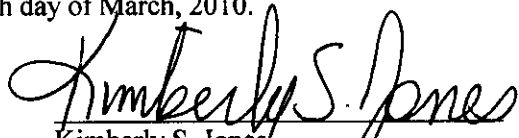
**Lot 128, Section C, Chateau Pointe Subdivision, situated in Section 18, Township 2 South, Range 7 West, DeSoto County, Mississippi, as recorded in Plat Book 93, Pages 47-48 in the office of the Chancery Clerk of DeSoto County, Mississippi.**

WHEREAS, the undersigned Substitute Trustee offered the above described property for sale at public outcry as set forth above, and there appeared at said sale an agent for **BankPlus** bidding the sum of \$228,000.00 for all of the above-described property and said property was struck off to **BankPlus**, for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of \$228,000.00, cash in hand

paid, the receipt of which is hereby acknowledged, Kimberly S. Jones, Substitute Trustee, does hereby sell and convey to **BankPlus**, all of the above-described property, conveying only such title as is vested in her as Substitute Trustee.

WITNESS MY SIGNATURE on this the 24th day of March, 2010.

  
Kimberly S. Jones  
SUBSTITUTE TRUSTEE


STATE OF MISSISSIPPI  
COUNTY OF DESOTO

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kimberly S. Jones, Substitute Trustee in the above and foregoing instrument of writing, who acknowledged to me that she, as said Substitute Trustee, signed and delivered the above and foregoing instrument of writing on the day and year and for the purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 24<sup>th</sup> day of March, 2010.

My Commission Expires:



  
NOTARY PUBLIC

# DESOTO TIMES-TRIBUNE

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 29, 2005, H & C, LLC, a Tennessee Limited Liability Company, executed a deed of trust to Chuck Drennon, Trustee for the benefit of BankPlus, which deed of trust is recorded in Deed of Trust Book 2325 at Page 450, and re-recorded in Deed of Trust Book 2391 at Page 83, and renewed and extended in Deed of Trust dated June 30, 2009 executed by H & C, LLC, a Tennessee Limited Liability Company to Thomas Hudson, Trustee for the benefit of BankPlus, recorded in Book 3067 at Page 545, all in the office the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid, BankPlus, the holder of said deed of trust and the note secured thereby, substituted Kimberly S. Jones, as Trustee therein, as authorized by the terms thereof, by instrument dated January 21, 2010 and recorded in the office of the aforesaid Chancery Clerk in Book 3130 at Page 578; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby, having been declared to be due and payable in accordance with the terms of said deed of trust, and the legal holder of said indebtedness, BankPlus, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substituted Trustee's fees and expense of sale;

NOW, THEREFORE, I, Kimberly S. Jones, Substituted Trustee in said deed of trust, will on the 24th day of March, 2010, offer for sale at public outcry for cash to the highest bidder, and sell within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.) at the East Front door of the County Courthouse in Hernando, County of DeSoto, State of Mississippi, the following described property situated in the County of DeSoto, State of Mississippi, to-wit:

Volume No. 115 on the 2 day of Mar., 2010

Volume No. 115 on the 9 day of Mar., 2010

Volume No. 115 on the 16 day of Mar., 2010

Volume No. 115 on the 23 day of Mar., 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

Diane Smith

Lot 128, Section C, Chateau Pointe Subdivision, situated in Section 18, Township 2 South, Range 7 West, DeSoto County, Mississippi, as recorded in Plat Book 93, Pages 47-48 in the office of the Chancery Clerk of DeSoto County, Mississippi.

I WILL CONVEY only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, this the 23rd day of February, 2010.

/s/ Kimberly S. Jones  
SUBSTITUTED TRUSTEE  
Kimberly S. Jones  
Austin Law Firm, P.A.  
6928 Cobblestone Drive, Suite 100

Southaven, MS 38672

Phone: 662-890-7575

Fax: 662-890-7576

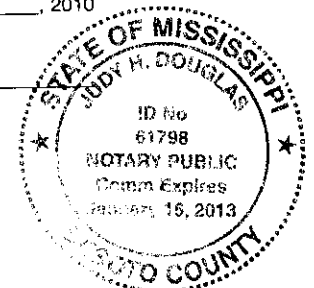
E-mail: kjones@austinelawfirm.ms

PUBLISH: March 2nd, 9th, 16th, and 23rd, 2010.

Sworn to and subscribed before me, this 23 day of Mar., 2010

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



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